

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIA DEL ROSSARIO JARAMILLO
BALLESTEROS, as Personal Representative of
the ESTATE OF JAIME CARRILLO
MONTENEGRO, a Florida estate, and as
Guardian of M.F.C.J., a minor; and RAQUEL
JAVELA ROJAS as Personal Representative of
the ESTATE OF JAIME EDUARDO HERRERA
ROMERO, and Guardian of J.M.H.J., a minor,

Plaintiffs,

v.

THE BOEING COMPANY, a Delaware
Corporation,

Defendant.

No. 22-cv-00393-TSZ

DECLARATION OF DANIEL POSSE
VELÁSQUEZ IN SUPPORT OF
BOEING'S MOTION TO DISMISS

DECLARATION OF DANIEL POSSE VELASQUEZ

I, Daniel Posse Velasquez, declare as follows:

1. I am a Colombian attorney who was admitted to the Colombian Bar in 1986. I am qualified to practice in the courts of Colombia. I'm a founding partner and attorney at the law firm of Posse Herrera Ruiz, located at Cra 7 No 71-52, Tower A Floor 5, Bogota, Colombia, for 27 years. A true and correct copy of my curriculum vitae is attached as Exhibit A.

2. Posse Herrera Ruiz has been retained by The Boeing Company ("Boeing") to assist with the litigation arising from the crash of a Douglas C-47 airplane near San Martín, Colombia on March 9, 2019 (the "accident"). I have been asked by United States counsel for Boeing to provide this declaration to aid the Court and to confirm that litigation is being pursued and has been settled in Colombia on behalf of deceased passengers of the accident. This declaration is based on my personal knowledge, and I am prepared to testify regarding the facts set forth herein if required.

3. As licensed counsel, I have access to records regarding legal proceedings instituted and pending in the Colombian civil courts. From my review of these records, I have been able to identify several cases filed in the courts of Colombia on behalf of the families and descendants of deceased passengers of the accident:

- a. *Pores v. Allianz Seguros S.A.*, No. 50001315300320210013700, 3rd Civil Circuit Court of Villavicencio (June 2, 2021). A true and correct copy of the lawsuit and writ that approved the settlement in this case are attached as Exhibit B. Additionally, a true and accurate English translation of the first few pages of the lawsuit and writ are attached as Exhibit C.
- b. *Gutiérrez v. Allianz Seguros S.A.*, No. 50001315300320210013400, 3rd Civil Circuit Court of Villavicencio (June 1, 2021). A true and correct copy of the lawsuit and writ that approved the settlement in this case are attached as Exhibit D. Additionally, a true and accurate English translation of the first few pages of the lawsuit and writ are attached as Exhibit E.

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2 c. *Garcia v. Allianz Seguros S.A.*, No. 50001315300120210032200, 1st Circuit Court
3 of Villavicencio - Met (November 16, 2021). A true and correct copy of the
4 lawsuit and writ that approved the settlement in this case are attached as
Exhibit F. Additionally, a true and accurate English translation of the first few
pages of the lawsuit and writ are attached as Exhibit G.

5 4. Allianz Seguros S.A. and Latinoamericana de Servicios Aéreos S.A. have been named
6 as defendants in each of these cases. In two of the cases, the descendants of Alejandro Fonseca
7 Sanchez, alleged owner of the aircraft, were also named as defendants.
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9 5. Each of the suits progressed to different stages, with all three of the cases reaching
10 settlement agreements.
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12 I declare that the foregoing is true and correct under penalty of perjury under the laws
13 of the United States and Colombia.
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15 Signed on this 15 day of February 2023, at Bogota, Colombia.

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17 By: Daniel Posse V.
18 Daniel Posse Velásquez
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